

REMARKS

Claims 2, 4, 21 and 24-26 have been canceled. Claims 3, 5, 22 and 23 have been amended to correct dependency. Claims 27-33 have newly added. Support may be found in the claims as originally filed, on page 5, line 22, page 7, lines 9-10 and in the paragraph bridging pages 7 and 8 of applicants' specification. No new matter has been added. Entry is requested.

The claims are provisionally rejected as being unpatentable over copending application Serial No. 10/587,374. It is the examiner's position that the claims are not patentably distinct because they overlap in scope. Applicants disagree.

The adhesive of copending application Serial No. 10/587,374 are formulated to have a having a viscosity at 275°F of less than about 8,000 centipose, a yield stress of less than about 80 psi and a creep performance for a bond made through strand coating of less than about 15%. Embodiments encompassed to have a creep performance for a bond made through spiral coating of less than about 25% are also disclosed and claimed. Clearly the claims are patentable distinct.

Reconsideration and withdrawal of the provisional obviousness-type double patenting rejection is requested.

Claims 1-6 and 21-26 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Boyce et al. (U.S. 4,284,542) alone or in view of vanDrongelen et al (US 6,103,814). The examiner maintains the prior rejection over Boyce, referring to an earlier Office action. The examiner is silent as to the application on the newly applied vanDrongelen reference or the reasons for its combined use with Boyce. Clarification is requested.

Boyce discloses ionomer-based hot melt adhesives and sealant compositions that contain ammonium phosphate and have improved high temperature viscosity. The Boyce compositions find use as glass sealants or adhesives for automobile windows. Preferably, the compositions also contain an inorganic filler, such as carbon black. Small quantities of a reinforcing agent may also be used and preferred reinforcing resins are disclosed at col. 6, lines 47-68. Such reinforcing agents are discloses as being used in amounts of up to 30 parts per hundred of the terpolymer ionomer resin. See also Example 7. The inclusion of a polystyrene resin in the amounts disclosed for use by Boyce would not render obvious applicants' claimed adhesive.

The invention claimed by applicant is not obvious over the applied prior art. Withdrawal of the Section 103 rejection is requested.

Early and favorable action is solicited.

Respectfully submitted,

/Cynthia L. Foulke/

Cynthia L. Foulke
Reg. No. 32,364

July 10, 2008

National Starch and Chemical Company
P. O. Box 6500
Bridgewater, New Jersey 08807-0500
Telephone No.: 908-685-7483